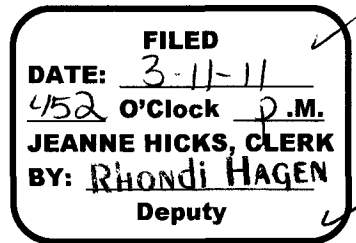


w/o

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI



DIVISION PRO TEM B

JEANNE HICKS, CLERK

HON. WARREN R. DARROW

BY: T. Brogdon / R. Hagen, Deputy Clerks

CASE NO. V1300CR201080049

DATE: March 11, 2011

TITLE:

COUNSEL:

STATE OF ARIZONA,

Yavapai County Attorney
Sheila Polk/Bill Hughes,
(Via OnBase)
(For Plaintiff)

(Plaintiff)

v

JAMES ARTHUR RAY,

Thomas K. Kelly,
(Via electronic mail)
(Co-Counsel for Defendant)

(Defendant)

Luis Li/Brad Brian/Truc Do/Miriam Seifter
MUNGER TOLLES & OLSON LLP,
(Via electronic mail)
(Co-Counsel for Defendant, *Pro Hac Vice*)

HEARING ON:
TRIAL – Day 14

NATURE OF PROCEEDINGS

COURT REPORTER
Mina Hunt

START TIME: 9:27 a.m.

APPEARANCES.

Sheila Polk, Counsel for State
Bill Hughes, Co-Counsel for State
Detective Ross Diskin, Case Agent
James Arthur Ray, Defendant
Tom Kelly, Co-Counsel for Defendant
Luis Li, Co-Counsel for Defendant
Miriam Seifter, Co-Counsel for Defendant
Victim Services Representative

The Court, Counsel, Detective Diskin, Defendant, Victim Services Representative and the Jury are present in the Courtroom

Dr. Beverley Bunn is sworn and testifies.

Court and Counsel conduct sidebar discussion outside of the presence of the Jury on the record.

Exhibit 283 is admitted into evidence pursuant to stipulation of Counsel.

Dr. Beverley Bunn is advised of the Rule for the exclusion of witnesses, the Jury is reminded of the admonition, and excused for a recess.

~~~Recess~~~

At 11.10 a.m. Court reconvenes, all previously appearing parties and the Jury are present in the Courtroom.

Dr. Beverley Bunn resumes testimony.

The Jury is reminded of the admonition, Dr. Beverley Bunn is reminded of the Rule for the exclusion of witnesses, excused for the noon recess, and instructed to return at 1:30 p.m.

~~~Noon Recess~~~

At 1:37 p.m. the trial resumes with all previously appearing parties present. The Jury is not present.

The Court advises that attorneys will not receive real time at this point and that Court Administration will research the real time issue. The Court confirms that real time had been offered to the State. Discussion ensues. Defense Counsel Kelly objects to proceeding without real time. The State does not object to Defense receiving real time.

The Court **orders** that real time shall continue for today.

Defense Counsel Kelly raises the issue of a recording of a conference call which occurred after the subject event and objects to it coming in as evidence for this trial. Oral argument ensues. Counsel for State intends to lay the appropriate foundation. Defense Counsel Kelly references Exhibit 617 for purposes of this argument. The Court notes that.

At 1:55 p.m. the Jury enters the courtroom.

Dr. Beverley Bunn resumes testimony.

The Jury is admonished and excused for a recess.

~~~Recess~~~

At 2:55 p.m. the trial resumes with all previously appearing parties and the Jury present.

Dr. Beverley Bunn resumes testimony.

Exhibits 170, 171 and 230 are admitted into evidence pursuant to stipulation of Counsel.

The Court and Counsel conduct a sidebar discussion on the record.

The Jury is reminded of the admonition, instructed to return on Tuesday, March 15, 2011 at 9:15 a.m. and excused for the weekend recess. The Jury leaves the courtroom.

~~~Recess~~~

At 4:41 p.m. the Court, Counsel, Detective Diskin and Defendant are present. The Jury is not present.

The Court and Counsel discuss scheduling.

Counsel are instructed to return at 8:15 a.m. on Tuesday.

The witness, Dr. Bunn, is instructed regarding the Rule of exclusion of witnesses.

Defense Counsel Seifter states various issues that they request hearing on. Counsel for State objects to simultaneously briefing the issues and requests that Defense file motions. Discussion ensues.

The Court stands adjourned for the day.

END TIME: 4:52 p.m.

cc: Gallagher & Kennedy, P.C., Counsel for Shore Family (e)
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)
Stone & Magnanini, Co-Counsel Brown Family (e)
Aspey, Watkins & Diesel, PLLC, Counsel for Neuman Family (e)
Steptoe & Johnson, Counsel for KPNX Broadcasting Company, TruTV and In Session (e)
Perkins, Coie, Brown & Bain, Counsel KTVK-TV (e)
Division PTB (e)
Victim Services (e)
Court Administration
Customer Service Supervisor, Verde